

02-15-02
Express Mail Label No.: EV034297803US

Date of Deposit: February 14, 2002



2162
#7
03-19-02
PATENT

Attorney Docket No.: 24309-501



30623

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ART UNIT: 2162
EXAMINER: Not Yet Assigned
APPLICANTS: Mark Hoffman et al.
SERIAL NO: 09/696,762
FILING DATE: October 25, 2000
FOR: INVESTMENT ADVICE SYSTEMS AND METHODS

RECEIVED

FEB 22 2002

Technology Center 2100

February 14, 2002
Boston, Massachusetts

Commissioner for Patents
Washington, DC 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the present application are the following documents:

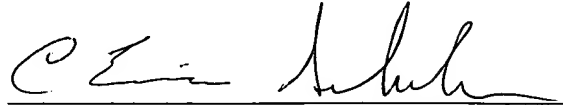
- ☒ Supplemental Information Disclosure Statement (4 pages);
- ☒ Modified Form 1449/PTO (1 pages in duplicate);
- ☒ Copies of cited reference CA-CB; and
- ☒ Return Postcard.

The Commissioner is hereby authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311 (Ref. No. 24309-501). A duplicate copy of this transmittal letter is enclosed.

Applicant(s): Mark Hoffman al.
U.S.S.N.: 09/696,762

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Respectfully submitted,



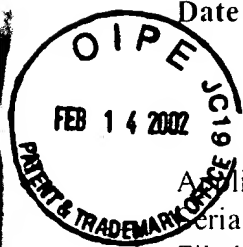
C. Eric Schulman, Esq. (Reg. No. 43,350)
Authorized Attorney under 37 C.F.R. 1.34(a)
MINTZ, LEVIN, COHN, FERRIS,
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TRA 1631484v1

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Attorney Docket No. 24309-501



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mark Hoffman et al.
Serial No.: 09/696,762
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Examiner: Not Yet Assigned
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Washington, DC 20231

**SUPPLEMENTAL STATEMENT FILED PURSUANT TO
THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 and 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicants request consideration of this Supplemental Information Disclosure Statement.

PART I: Compliance With 37 C.F.R. §1.97

(Select A, B or C below)

A. ☒ This Supplemental Information Disclosure Statement has been filed:

(Check 1, 2 and/or 3 below)

1. ☐ within three months of the filing date of the Continued Prosecution Application (CPA).

2. ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application.

3. ☒ before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

Applicant(s): Mark Hoffman et al.
U.S.S.N.: 09/696,762

B. ☐ This Supplemental Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311.

(Check 1 or 2 below)

1. ☐ The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.
2. ☐ The Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that (Check a or b below)
 - a. ☐ each item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement. No fee is required.
 - b. ☐ no item of Information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart for this application or, to the knowledge of the under signed after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement. No fee is required.

C. ☐ This Supplemental Information Disclosure Statement has been filed after the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and before payment of an Issue Fee.

1. The Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that:
(Check a or b below)
 - a. ☐ each item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.

Applicant(s): Mark Hoffman et al.
U.S.S.N.: 09/696,762

- b. ☐ no item of information contained in this Supplemental Information disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

2. A petition requesting consideration of the Supplemental Information Disclosure Statement is attached.

3. The petition fee of \$130 as set forth in 37 C.F.R. §1.17(i)(1) is enclosed.

PART II: Information Cited

A. ☒ The Applicants hereby make of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

B. ☐ The Applicants hereby make the following additional information of record in the above-identified application:

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified).

PART IV: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

Applicant(s): Mark Hoffman et al.
U.S.S.N.: 09/696,762

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.


By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,



C. Eric Schulman, Esq.
Registration No. 43,350
Authorized Attorney under 37 C.F.R. 1.34(a)
Mintz, Levin, Cohn, Ferris,
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Attorney for Applicants

Date: February 14, 2002

Please type a plus sign (+) in this box



PTO/SB (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Modified Form 1449/PTO

**SUPPLEMENTAL INFORMATION
DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number	09/696,762
Filing Date	October 25, 2000
First Named Inventor	Mark Hoffman et al.
Group Art Unit	2162
Examiner Name	Not Yet Assigned
Attorney Docket Number	24309-501

**RECEIVED**
FEB 22 2002
Technology Center 2100**U.S. PATENT DOCUMENTS**

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
	AO						
	AP						

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	BA				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	CA	"Placemark Introduces "Total," First Production to Provide Comprehensive Tax Optimization for Individual Investors", Placemark Investments, pp. 1-2.
	CB	Figlewski, S. et al., "Optimal Aggregation of Money Supply Forecasts: Accuracy, Profitability, and Market Efficiency", pp. 38-54 reprinted from Journal of Finance, 28: 3, June 1983, pp. 695-710.
	CC	

* copies of these references are not provided as they were previously cited by or submitted to the office in a prior application, U.S.S.N. _____, filed _____, which is a continuation of U.S.S.N. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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